
1 R2021-5: CERTIFYING A BUILDING SITE AS AN ABANDONED BUILDING
2 SITE CONTAINING ONE (1) ABANDONED BUILDING UNIT PURSUANT TO
3 THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT,
4 TITLE 12, CHAPTER 67, SECTION 12-67-100 ET SEQ., OF THE SOUTH
5 CAROLINA CODE OF LAWS (1976), AS AMENDED, REGARDING PROPERTY
6 LOCATED AT 505 9TH AVENUE NORTH IN THE CITY OF MYRTLE BEACH,
7 HORRY COUNTY TMS # 1810707015 AND HORRY COUNTY PIN #
8 44401010039.

9 **Applicant/Purpose:** Property owner, 9th Avenue Owner, LLC (applicant) / to approve
10 City certification of property located at 505 9th Ave. N. as an Abandon Building per the
11 Abandoned Buildings Revitalization Act of 2013.
12

13 **Brief:**

- 14 • The applicant has purchased the property at 505 9th Ave., N. for the purpose of
15 rehabilitating the structure into a location for a new business w/in the Arts &
16 Innovation District, a manner per the Act that qualifies for state tax credits.
- 17 • City Staff has done its due diligence to determine the building to be abandoned
18 as that term is defined by the Abandoned Buildings Revitalization Act of 2013.
19

20 **Issues:**

- 21 • The Act is a State effort to incentivize the redevelopment of buildings that are
22 at least 66% vacant for the past 5 yrs. & are not income-producing. Single-
23 family residences are not eligible.
- 24 • The minimum threshold for investment is \$250,000 for cities or counties w/ a
25 population >25,000.
- 26 • Available tax credits:
 - 27 • Income tax credit:
 - 28 ▪ Credit equals 25% of actual expenses (not exceed \$500,000 for
29 any taxpayer in a tax year).
 - 30 ▪ Credit must be taken over 3 years (beginning when the building
31 is placed back in service).
 - 32 • Property tax credit:
 - 33 ▪ Credit equals 25% of actual expenses but the credit may not
34 exceed 75% of the real property taxes due on the building.
 - 35 ▪ Credit may be taken up to 8 years (beginning when the building
36 is placed back in service).

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38 **Public Notification:** Normal meeting notifications.
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40 **Alternatives:** None considered.
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42 **Financial Impact:**

- 43 • The Act benefits owners by reducing the costs of repurposing a vacant building.
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45 **Manager's Recommendation:** I recommend approval.
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47 **Attachment(s):** Proposed resolution and supporting documents.

RESOLUTION R2021-5

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**CITY OF MYRTLE BEACH)
COUNTY OF HORRY)
STATE OF SOUTH CAROLIINA)**

**CERTIFYING A BUILDING SITE AS AN
ABANDONED BUILDING SITE CONTAINING
ONE (1) ABANDONED BUILDING UNIT
PURSUANT TO THE SOUTH CAROLINA
ABANDONED BUILDINGS
REVITALIZATION ACT, TITLE 12, CHAPTER
67, SECTION 12-67-100 ET SEQ., OF THE
SOUTH CAROLINA CODE OF LAWS (1976),
AS AMENDED, REGARDING PROPERTY
LOCATED AT 505 9TH AVENUE NORTH IN
THE CITY OF MYRTLE BEACH, HORRY
COUNTY TMS # 1810707015 AND HORRY
COUNTY PIN # 44401010039.**

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the "Act") was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings and abandoned building sites located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) "Abandoned Building" means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a "Notice of Intent to Rehabilitate". For purposes of this item, a building or structure that otherwise qualifies as an "abandoned building" may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned.

(2) "Building Site" means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use; and,

WHEREAS, Section 12-67-120(1) of the Act provides, in pertinent part:

...[A] building or structure that otherwise qualifies as an "abandoned building" may be subdivided into separate units or parcels, which units or parcels may be

1 owned by the same taxpayer or different taxpayers, and each unit or parcel is
2 deemed to be an abandoned building site..., and,
3

4 WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an
5 abandoned building or an abandoned building site is eligible either for a credit against
6 certain income taxes, license fees or premium taxes, or a credit against local real property
7 taxes; and,
8

9 WHEREAS, 9th Avenue Owner, LLC (the "Taxpayer") is or shall be the owner and
10 developer of certain real property located at 505 9th Avenue North, Myrtle Beach S.C. (the
11 "Property") which property is further identified on the Horry County Tax Maps as TMS No.
12 1810707015; and
13

14 WHEREAS, no portion of the Property was placed in service before November 1, 2019;
15 and
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17 WHEREAS, this abandoned building site is being rehabilitated in a manner that qualifies
18 for state tax credits under the Act; and
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20 WHEREAS, the Property is located within the city limits of Myrtle Beach, South Carolina;
21 and
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23 WHEREAS, the Taxpayer has requested that the City certify that this Building Site as one
24 (1) eligible abandoned building sites as defined by Section 12-67-120;
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26 NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF
27 THE CITY OF MYRTLE BEACH, SOUTH CAROLINA, this day of February 9, 2021, as
28 follows:
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30 Section 1. The Taxpayer has submitted to the City a request to certify this Building Site
31 pursuant to Section 12-67-160 of the Act (the "Request to Certify").
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33 Section 2. The City has reviewed the Request to Certify, supporting documentation,
34 conferred with the Taxpayer and conducted its own review of the Property.
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36 Section 3. The City hereby certifies that the Building Site constitutes an abandoned building
37 site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of the
38 Building Site is consistent with Section 12-67-120(2) of the Act.
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42 _____
BRENDA BETHUNE, MAYOR
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JENNIFER ADKINS, CITY CLERK
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